

GERTNER MANDEL & PESLAK LLC
COUNSELLORS AT LAW

PO Box 499
Lakewood, New Jersey 08701
732-363-3333
Fax: 732-363-3345

Ross D. Gertner
Master of Laws (in Taxation)

Sean D. Gertner
Member NJ, VA, MD & DC Bars

Lawrence D. Mandel
Member NJ, NY & PA Bars

Arthur M. Peslak
Member NJ & NY Bars
Registered Patent Attorney

Angelica Guzman
Member NJ Bar
Jena R. Silverman
Member NJ & NY Bars
Jerome A. Gertner
Of Counsel

September 13, 2013

Via e-filing and regular mail

Honorable Douglas E. Arpert, U.S.M.J.
United States Magistrate Judge for the District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Trenton, NJ 08608

R E C E I V E D

SEP 16 2013

AT 8:30
WILLIAM T. WALSH
CLERK

RE: *Thorner, Craig v. Sony Computer Entertainment America, LLC*
Civil Action No.: 3:09-cv-01894-MLC-DEA

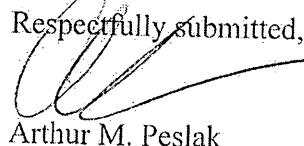
Dear Magistrate Judge Arpert:

As you know, we represent Craig Thorner and Virtual Reality Feedback Corporation in this matter. I write seeking the Court's permission to file a sur-reply in connection with Budd Larner's fee petition. I request permission to do so because Budd Larner's fee petition was not originally filed with a brief. Rather, the Court converted the original petition to a motion. Consequently, Plaintiffs' opposition brief framed the legal issues for the Court's consideration. Budd Larner's reply in essence is an opposition to the legal arguments presented by Plaintiffs. Plaintiffs would like the opportunity to deal with the argument raised by Budd Larner regarding whether or not Budd Larner's lien can extend to the malpractice claims against the Niro firm as well as to comment on the facts submitted to the Court by Budd Larner for the first time in the opposition.

* DENIED

If the Court needs anything further, please contact my office.

Thank you for your consideration.

Respectfully submitted,

Arthur M. Peslak

So Ordered
HTS/JLH

AMP/rc

cc: Allen L. Harris, Esq. via email

Office Locations:
1215 East Veterans Highway, Jackson, New Jersey
1355 Campus Parkway, Suite 102, Wall, New Jersey (by appointment only)